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3 THE ALBERTS FIRM
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8 Attorneys for Plaintiff,
9 Mark Bingham

10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**

12 MARK BINGHAM,

13 Plaintiff,

14 v.

15 OCWEN LOAN SERVICING, LLC, a
16 Delaware Limited Liability Company;
17 TD SERVICE FINANCIAL
18 CORPORATION, a California
19 Corporation; and DOES 1-100, inclusive,

20 Defendants.

CASE: 5:13-CV-04040-HRL

**NOTICE OF CONDITIONAL
SETTLEMENT**

Case Management Conference Date:
July 22, 2014
Time: 1:30 p.m.
Ctrm.: 8

1 TO THE COURT AND THE HONORABLE HOWARD R. LLOYD:

2 Counsel for Plaintiff Mark Bingham (“Plaintiff”) hereby informs this Court
3 that Plaintiff and Defendant Ocwen Loan Servicing, LLC have reached a settlement
4 agreement in this matter, conditional upon execution of the said agreement by all
5 parties.

6 DATED: July 16, 2014

THE ALBERTS FIRM

9 By: s/Batkhand Zoljargal
10 Jeremy J. Alberts
11 Batkhand Zoljargal,
12 Attorneys for Plaintiff,
13 Mark Bingham
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PROOF OF SERVICE

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is: 1600 N. Broadway, Suite 1010, Santa Ana, CA 92706-3927.

On July 16, 2014, I served the within documents:

NOTICE OF CONDITIONAL SETTLEMENT

Upon the following parties:

Nicole Dunn

Wright, Finlay and Zak, LLP
4665 MacArthur Court
Suite 280
Newport Beach, CA 92660

representing

**Ocwen Loan
Servicing, LLC**
(Defendant)

United States District Court,
Northern District of California,
280 South 1st Street,
Courtroom 2 - 5th Floor
San Jose, CA 95113

☒ **BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)** – Pursuant to controlling General Orders and Local Rules, the foregoing document will be served by the court via ECF and hyperlink to the document. On July 16, 2014, I checked the CM/ECF docket for underlying case and determined that the following persons are on the Electronic Mail Notice List to receive ECF transmission at the email addresses stated below:

ndunn@wrightlegal.net

☒ **BY MAIL** – I deposited such envelope in the mail at Fullerton, California. The envelope was mailed with postage thereon fully prepaid. I am “readily familiar” with the practice of collection and processing correspondence for mailing. Under

1 that practice it would be deposited with the U.S. Postal Service on that same day with
2 postage thereon fully prepaid at Laguna Niguel, California in the ordinary course of
3 business. I am aware that on motion of the party served, service is presumed invalid
4 if postal cancellation date or postage meter date is more than one (1) day after the
5 date of deposit for mailing in affidavit.

6 I am readily familiar with the practice of collection and processing correspondence
7 for mailing. Under that practice it would be deposited with the U.S. Postal Service
8 on that same day with postage thereon fully prepaid in the ordinary course of
9 business. I am aware that on motion of the party served, service is presumed invalid
10 if postal cancellation date or postage meter date is more than one day after the date of
11 deposit for mailing in affidavit.

12 ☐ **BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE**
13 **TRANSMISSION OR EMAIL** (state method for each person or entity served):
14 Pursuant to F.R.Civ.P. 5 and/or controlling Local Rules, on ____, I served the
15 following persons and/or entities by personal delivery, overnight mail service, or (for
16 those who consented in writing to such service method), by facsimile transmission
17 and/or email as follows. Listing the judge here constitutes a declaration that personal
18 delivery, or overnight mail to, the judge will be completed no later than 24 hours
19 after the document is filed.

20 I declare under the penalty of perjury under the laws of the State of California
21 that the above is true and correct.

22 Executed on July 16, 2014 at Santa Ana, California.

23 s/Batkhand Zoljargal
24 Batkhand Zoljargal
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